

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

Plaintiff,

v.

ALI KOURANI,

Defendant.

17 Cr. 417-1 (AKH)

23 Civ. 2265 (AKH)

ORDER DENYING MOTION TO
APPOINT COUNSEL

ALVIN K. HELLERSTEIN, United States District Judge:

Defendant Kourani, by motion filed on May 30, 2023, seeks appointment of counsel to assist him in petitioning for review of the lawfulness of his conviction and sentence pursuant to 28 U.S.C. § 2255. His petition was filed on March 15, 2023.

Defendant's motion is denied. Defendant had a one-year period of limitation after the date of judgment became final to seek reviews. The Court of Appeals issued its mandate confirming his conviction on October 14, 2021 (ECF 163). No petition to the U.S. Supreme Court was filed; Defendant's conviction became final ninety days later, on January 12, 2022. The limitation period has passed.

Defendant previously had asked me to extend the time within which he could file his petition. I denied that request on May 20, 2022. (ECF 181). The defendant previously had moved to appoint counsel. I denied that motion on May 20, 2022. (ECF 174). Defendant's current motion asks for reconsideration of my order denying counsel. Defendant's motion is denied. It is untimely, and shows nothing to warrant reconsideration.

On March 21, 2023, I had ordered the United States Attorney's office to file an answer or other pleading in response to defendant's petition to review. For the reasons stated above, that

order is vacated. Defendant's petition should be summarily dismissed as being without merit, as discussed above.

The Clerk of the Court shall give notice to defendant of this order and terminate the open motion.

SO ORDERED.

Dated: June 1, 2023
New York, New York

A handwritten signature in black ink, appearing to read "Alvin K. Hellerstein", is written over a horizontal line.

ALVIN K. HELLERSTEIN
United States District Judge